

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MALIBU MEDIA, LLC,

Plaintiff,

v.

DAVID E. EVERSON,

Defendant.

No. 4:19-CV-01048

(Judge Brann)

ORDER

AND NOW, this 11th day of January 2021, in accordance with the accompanying memorandum opinion, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for default judgment (Doc. 18) is **GRANTED IN PART AND DENIED IN PART**.
 - a. The Court awards statutory damages in the amount of \$3,000.00 to Plaintiff as compensation for Defendant's infringement of Plaintiff's four works.
 - b. The Court awards the costs Plaintiff seeks in the amount of \$897.78.
 - c. Furthermore, a permanent injunction is entered against Defendant David E. Everson as follows:
 - i. David E. Everson is permanently enjoined from directly, contributorily, or indirectly infringing Malibu Media, LLC's rights under federal or state law of the copyrighted

works (the “Works”) at issue in this lawsuit, including, without limiting, by using the internet, BitTorrent, or any other online media distribution system to download, distribute, or otherwise reproduce or make the Works available for distribution to the public, unless pursuant to a lawful license or with Malibu Media LLC’s express authority.

- ii. David E. Everson is ordered to destroy all copies of Malibu Media, LLC’s Works that Everson has downloaded without Malibu Media, LLC’s authorization and shall destroy copies of the Works in any medium or on any device in Everson’s possession, custody, or control.

- 2. The Clerk of Court is directed to: enter judgment in favor of the Plaintiff on Count 1 of the Amended Complaint (Doc. 12); mail a copy of the Memorandum Opinion and the Order to Defendant at his address listed in the executed Summons (Doc. 15); and **CLOSE** the case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge